



City of Marietta Meeting Minutes CITY COUNCIL

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Tuesday, September 11, 2007

7:00 PM

Council Chamber

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Also Present:

William F. Bruton, City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 7:00 p.m.

INVOCATION:

Mayor Dunaway called upon Council member Jim King to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Dunaway called upon Leigh Colburn, principal of the Marietta High School, to lead the pledge of allegiance.

PRESENTATIONS:

20071029 Introduction of Canine teams

Officer Reinaldo Figueroa - Canine Barry

Officer Jeff Reed - Canine Blue

Officer Greg Walker - Canine Marco

This matter was Presented.

PROCLAMATIONS:

20070918 Clean Water Week

Danny Magwood, Water Department, receives a proclamation declaring October 14-20, 2007 as Clean Water Week.

This matter was Presented.

20070919 Public Power Week

Danny Magwood receives a proclamation declaring October 14-20, 2007 as the 20th annual Public Power Week.

This matter was Presented.

20070924 Fire Prevention Week

Assistant Chief Mark Anderson, accepts a Proclamation recognizing the week of October 7 - 13, 2007 as Fire Prevention Week.

This matter was Presented.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

Mayor Dunaway announced that the City plans to launch a program to ensure "Trees for Tomorrow". This multi-faceted program is designed to preserve and replant trees in the city for future generations and launch an effort to beautify the gateways leading into the city.

Mayor Dunaway invited everyone to attend a ground breaking for the redesign and renovation of Henry Memorial Park. The Park is located near Reynolds and Wright streets off Powder Springs Street. The ceremony will take place Wednesday, September 12, 2007 at 10:00 a.m. The overhaul will renew the park and provide additional recreation for the city's downtown neighborhoods.

Mayor Dunaway mentioned that Billy Joe Royal would be giving a concert on Tuesday, October 16, 2007. The concert is a fun way to raise money to support the Strand Theatre renovations.

Mayor Dunaway reminded everyone about the Career Fair being hosted by Council member Coleman on September 26, 2007. The Career Fair would be held at the Cobb County Civic Center from 10:00 a.m. to 3:00 p.m.

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

Mayor Dunaway briefly explained the consent agenda process. The following amendments were made to the consent agenda:

-under Minutes: Agenda item 20070890 should read, "Motion to approve the

August 8, 2007 regular meeting minutes with the addition of the disclosure by Council member Goldstein for agenda item 20070798."

-under Ordinances: Agenda item 20070911 should read, "Motion to approve with the following stipulation: The language from the ordinance contained in the City Council minute books is incorporated herein by reference.

-under Economic/Community Dev.: Agenda item 20070808 was added to the consent agenda.

-under Judicial/Legislative: Agenda item 20070953 should show Council member Pearlberg voting against and Council member Goldstein abstaining. Also, the following sentence should be added, "AT&T shall be required to obtain any permits required by the Public Works Department."

-under Judicial/Legislative: Agenda item 20070947 should show Council member Goldstein abstaining. Also, the following language should be added, "Provided however, that the rent paid by the tenant to the City shall be adjusted and paid pursuant to any notice which may be given in writing by the City Manager to the tenant and the new rent set forth therein shall commence 15 days thereafter or in the alternative the lease shall be terminated entirely 15 days thereafter."

-under Personnel/Insurance: Agenda item 20070936 should show Council member Walquist voting for this matter. Also, the last sentence should read, "...and will be revisited next year to review the costs and to decide continued coverage."

-under Other Business: Agenda item 20070916 was added to the consent agenda.

Mayor Dunaway opened the public hearing for items on the consent requiring a public hearing. Seeing no one wishing to speak, the public hearing was closed.

A motion was made by Council member Walquist, seconded by Council member Lewis, to approve the consent agenda as modified. The motion unanimously carried by the following vote:

Vote: 7 - 0 - 0

Approved

with the following exceptions:

-Council member Pearlberg voting against agenda item 20070953

-Council member Coleman voting against agenda item 20070808.

-Council member Walquist voting against agenda item 20070952.

-Council member Goldstein abstaining on agenda items 20070839, 20070917, 20070961, 20070970, 20070979, 20070988, 20070969, 20070953, 20070726 and 20070947.

-Council member Goldstein voting against agenda item 20070808

MINUTES:

*** 20070890 Regular Meeting - August 8, 2007**

Review and approval of the August 8, 2007 regular meeting minutes.

Motion to approve with the addition of the disclosure by Council member Goldstein for agenda item 20070798.

This matter was Approved as Amended on the Consent Agenda. The motion carried.

7 - 0 - 0

Approved

*** 20070908 Special Meeting - August 9, 2007**

Review and approval of the August 9, 2007 special meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

MAYOR'S APPOINTMENTS:

CITY COUNCIL APPOINTMENTS:

*** 20070906 Historic Preservation Commission**

Re-appointment of Gary Zakar to the Marietta Historic Preservation Commission for a three year term beginning September 15, 2007 and expiring September 14, 2010.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20071005 Historic Preservation Commission**

Re-appointment of David Freedman to the Marietta Historic Preservation Commission for a three year term beginning September 15, 2007 and expiring September 14, 2010.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

ORDINANCES:

*** 20070839 Code Enforcement - 373 Allgood Road**

Ord 7072

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 373 Allgood Road.

Certified mail receipt received 08/09/07; signature not legible.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070917** **Code Enforcement - 286 Scott Drive**
Ord 7073 An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 286 Scott Drive.
Certified mail receipt received 05/24/07 unsigned.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070961** **Code Enforcement - 825 Mimosa Drive**
Ord 7074 An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 825 Mimosa Drive.
Certified mail receipt received 08/14/07, unclaimed.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining
.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070970** **Code Enforcement - 541 Powder Springs Street**
Ord 7075 An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 541 Powder Springs Street.
Certified mail receipt returned 07/31/07, unsigned.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070979** **Code Enforcement - 65 Griggs Street**
Ord 7076 An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 65 Griggs Street.
Certified mail receipt received on 08/11/07; signature not legible
Taxes paid: No
PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070988 Code Enforcement - 586 Welch Street**

Ord 7077

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 586 Welch Street.

Certified mail receipt not received as of 08/28/07.

Taxes paid: No

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

20070587 Z2007-11 REZONING - Lost Mountain Enterprises, Inc. 397 and 401 Roselane; 281, 271, 261, 251 White Street from R-2 (single Family Residential to OI (Office Institutional))

Z2007-11 LOST MOUNTAIN ENTERPRISES, INC. requests rezoning for property located in Land Lots 1003 and 1014, District 16, Parcels 1010, 1200, 0250, 0260, 0270 and 0280 and being known as 397 and 401 Roselane Street and 281, 271, 261 and 251 White Street Street from R-2 (Single Family Residential) to OI (Office Institutional). Ward 4.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie explained the rules of order for rezoning hearings and swore in those wishing to speak.

Attorney for the applicant Kevin Moore requested rezoning for property located at 397 and 401 Roselane Street and 281, 271, 261 and 251 White Street from R-2 (Single Family Residential) to OI for the purpose of constructing a medical office building. Mr. Moore presented a Letter of Stipulations dated September 11, 2007 and agreed to the additional following stipulations: 1) That the building would be constructed of brick and stone, 2) the elevations shall be approved by staff before permits are obtained, 3) a certified arborist shall be hired to determine if any trees can be saved.

Mayor Dunaway closed the public hearing.

Discussion was held regarding the proposed project. Council member Pearlberg expressed concern regarding the development.

A motion was made by Council member Pearlberg, seconded by Council member Lewis, that this matter be Denied.

Further discussion was held. The motion to deny was withdrawn.

Motion to table this matter until the next regular City Council meeting, with the applicant being responsible for the advertising costs.

A motion was made by Council member Pearlberg, seconded by Council member Goldstein, that this matter be Tabled. The motion carried by the following vote:

Vote: 7 - 0 - 0

Tabled

20070850 Z2007-12 - REZONING - Joel A. Digby 1183 & 1185 Franklin Road and 2120 Kingston Court from LI (Light Industrial) to CRC (Community Retail Commercial)

Z2007-12 JOEL DIGBY requests rezoning for property located in Land Lot 07260, District 17, Parcels 0070, 0060 and 0110 and being known as 1183 and 1185 Franklin Road and 2120 Kingston Court from LI (Light Industrial) to CRC (Community Retail Commercial). Ward 7.

Mayor Dunaway opened the public hearing, and City Attorney Douglas Haynie swore in those wishing to speak.

Joel Digby, representative for the applicant, requested rezoning for property located at 1183 and 1185 Franklin Road and 2120 Kingston Court from LI (Light Industrial) to CRC (Community Retail Commercial) for the purpose of constructing a hotel. Among other details, Mr. Digby mentioned that the hotel would be a part of the Comfort Suites hotel chain and would not be an extended stay facility.

Mayor Dunaway closed the public hearing.

Discussion was held regarding the proposed project.

Motion to approve the rezoning request with the following stipulations:

- 1) Variance to increase the maximum FAR allowed from .50 to .67*
- 2) The exterior elevations shall be brought back for City Council approval prior to any land disturbance permits being issued.*
- 3) Extended stay businesses shall be prohibited on the subject property.*
- 4) The donation of right-of-way shall occur prior to the issuance of any land disturbance permits.*

A motion was made by Council member Chalfant, seconded by Council member Goldstein, that this matter be Approved as Stipulated. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved as Stipulated

20070851 Z2007-13 - REZONING - Jim Eyre 911 Allgood Road and 1040 Cobb Industrial Drive from CRC (Community Retail Commercial) and HI (Heavy Industrial) to LI (Light Industrial).

Ord 7087 Z2007-13 JIM EYRE requests rezoning for property located in Land Lots 09970 and 09980, District 16, a portion of parcel 0020 and a portion of parcel 0070 and being

known as 911 Allgood Road and 1040 Cobb Industrial Drive from CRC & HI (Community Retail Commercial) and (Heavy Industrial) to LI (Light Industrial). Ward 5.

Mayor Dunaway opened the public hearing, and City Attorney Douglas Haynie swore in those wishing to speak.

Melissa Haistens, attorney for the applicant, requests rezoning for property located at 911 Allgood Road and 1040 Cobb Industrial Drive from CRC & HI (Community Retail Commercial) and (Heavy Industrial) to LI (Light Industrial) for the purpose of constructing a road giving access to another property.

Mayor Dunaway closed the public hearing.

Discussion was held regarding the proposed project.

Resident, Charles Livingston spoke regarding this matter. He wanted to ensure that the proposed project would not impede his daily walk to work.

Motion to approve the rezoning request with the following stipulations:

- 1) Three staggered rows of 7-gallon pines shall be planted along the eastern boundary of the subject property up to the end of the Georgia Power easement.*
- 2) The deed restriction on the CRC parcel shall be subject to the approval of the City Attorney.*
- 3) Further, there shall be a 2 to 1 ratio compensatory cut back.*

A motion was made by Council member Chalfant, seconded by Council member Goldstein, that this matter be Approved as Stipulated. The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved as Stipulated

*** 20070911 Z2007-14- REZONING- City of Marietta 1809, 1739 and 1355 Canton Road and all associated right-of-way for each address from GC, PSC and LI to CRC, PCD and LI**

Ord 7079 Z2007-14 CITY OF MARIETTA request rezoning for property located in Land Lot 07810, Parcel 0080 (1809 Canton Road), Land Lot 08040, Parcel 0160 (1739 Canton Road) and Land Lot 08740, Parcel 0320 (1355 Canton Road) and all associated right-of-way for each address from GC [General Commercial (County)], PSC [Planned Shopping Center (County)] and LI [Light Industrial (County)] to CRC [Community Retail Commercial (City)], PCD [Planned Commercial Development (City)] and LI [Light Industrial (City)]. Ward 6.

Motion to approve with the following stipulation:

-The language from the ordinance contained in the City Council minute books is incorporated herein by reference.

This matter was Approved as Stipulated on the consent agenda.

Vote: 7 – 0 – 0

Approved

- * **20070912** **A2007-04 - ANNEXATION - City of Marietta 1809, 1739 and 1355 Canton Road and all associated right of way for each address**

Ord 7080 A2007-04 CITY OF MARIETTA requests annexation for property located in Land Lot 07810, Parcel 0080 (1809 Canton Road), Land Lot 08040, Parcel 0160 (1739 Canton Road) and Land Lot 08740, Parcel 0320 (1355 Canton Road) and all associated right-of-way for each address, all of the 16th District, 2nd Section, Cobb County, Georgia consisting of 4.595 acres. Ward 6.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070914** **CA2007-20 - FUTURE LAND USE -City of Marietta 1809, 1739 and 1355 Canton Road and all associated right of way for each address**

Ord 7081 CA2007-20 CITY OF MARIETTA in conjunction with the requested annexation of property located in Land Lot 07810, Parcel 0080 (1809 Canton Road), Land Lot 08040, Parcel 0160 (1739 Canton Road) and Land Lot 08740, Parcel 0320 (1355 Canton Road) and all associated right-of-way for each address, 2nd Section, Marietta, Cobb County, Georgia, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial Warehousing). Ward 6.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070789** **CA2007-19 Amending the Comprehensive Development Code Section 726 regarding Title, Purpose & Jurisdiction**

Ord 7082 CA2007-19 Amending the Comprehensive Development Code of the City of Marietta, Section 726 Title, Purpose and Jurisdiction regarding public hearing requirements for Gated Communities

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

- * **20071027** **Denial of a Claim**

Denial of a claim by Betty Smith.

This Matter was Approved to Deny Claim on the Consent Agenda.

Vote: 7 - 0 - 0

Approved to Deny Claim

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:**1. Economic/Community Development: Grif Chalfant, Chairperson***** 20070969 Tax-Exempt Bond Reimbursements***Res 2007 - 1430*

Resolution declaring intention to issue tax-exempt bonds to reimburse the city with the proceeds of such bonds for capital and other expenditures made in connection with CCSR redevelopment projects.

This Matter was Discussed on the Consent Agenda.

Vote: 7 - 0 - 0

Discussed

*** 20070808 Redevelopment Equity Reserve Fund**

Motion to approve the MRC FY2008 work program for the revolving equity reserve fund, as amended.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

2. Finance/Investment: Annette Lewis, Chairperson*** 20070909 Hickory Hills Purchase***Ord 7083*

An Ordinance approving an amendment to the Fiscal Year 2008 General Fund budget to make a payment for \$100,000 for the purchase Hickory Hills Park.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070910 Moore & Cubbedge Letter of Engagement***C/A 3446*

Motion to authorize execution of a Letter of Engagement with Moore & Cubbedge to conduct the financial audit for FY07

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070907 Georgia DCA Grant for Confederate Cemetery***Ord 7084*

Motion to approve the acceptance of a \$75,000 Georgia Department of Community Affairs Local Assistance Grant to repair and upgrade the Marietta Historic Confederate Cemetery, along with the associated budget amendment.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070946 Weed and Seed Grant**

Ord 7085 An Ordinance approving an amendment to the Fiscal Year 2008 Budget to receive and appropriate grant funding from the Department of Justice and CDBG for the Weed and Seed Program for Franklin Road.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

*** 20070813 Parking lot tent sales**

Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15(C), Division 708.16(C), Division 708.17(C) regarding Temporary/Conditional Uses Allowed by the Director.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070814 Donation boxes**

CA2007-22 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15(F), Division 708.16(F), Division 708.17(F) and Division 710.08 regarding container bins and donation boxes.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070942 Detailed Plan for Peachtree Business Products**

Motion approving the Detailed Plan for Peachtree Business Products located at 1940 West Oak Circle.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070337 Island Annexations**

Motion to authorize advertisement to annex several islands in the city limits of Marietta which have business licenses and homestead exemptions (1161 Whitlock Avenue and all associated right-of-way and 761 Powder Springs Street).

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070972 Amendments to Intergovernmental Agreements**

*C/A 3443
& 3443A* Motion to approve Intergovernmental Agreements between City of Marietta and Marietta Board of Education and City of Marietta and Cobb County for Marietta

Tax Allocation Districts.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070953**

U-Verse

C/A 3441

Motion to approve the proposed agreement between AT&T and the City of Marietta to offer U-verse Video Service.

Council member Goldstein disclosed that he, as well as various members of his family own stock in AT&T.

Motion to approve the proposed agreement between AT&T and the City of Marietta to offer U-verse Video Service. AT&T shall be required to obtain any permits required by the Public Works Department.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 1 - 1

Approved

Abstaining: Philip M. Goldstein Voting Against: Van Pearlberg

* **20071016**

City Council Retreat

Motion to schedule the City Council Retreat on February 1-3, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070888**

Precinct Boundary Changes - Ward 3 & 4

Motion to authorize advertisement of proposed changes in the precinct polling places for municipal elections to coincide with changes approved by Cobb County Board for State and County elections.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070726**

Root House Museum Ground Lease Agreement

C/A 3442

Motion to approve the requested modifications to the Root House Museum Ground Lease Agreement.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070947**

Clarke Library Lease

Motion to direct the City Attorney to send any and all legal notices to the tenant and any sub-tenants (any sub-tenants are not recognized by virtue of this motion) regarding the city owned property located at 156 Church Street, Marietta, Georgia. This motion shall include the authority to file any appropriate legal action, including appeals thereof, in order to carry out the Notice to Vacate given

to the tenant and/or sub-tenants located in the above premises. The notice specified herein shall require the tenant and any sub-tenants to vacate the property 30 days after receipt of the notice, which shall be based upon the city accepting a written lease from a replacement tenant.

Deventer North America, Inc., is a tenant of Philip M. Goldstein at 39 Winter Street/48 Atlanta Street. It is believed that Mr. Godwin's wife is the owner of that corporation and that Mr. Godwin is an officer of the corporation.

Motion to approve this matter with the following additional sentence:

Provided however, that the rent paid by the tenant to the City shall be adjusted and paid pursuant to any notice which may be given in writing by the City Manager to the tenant and the new rent set forth therein shall commence 15 days thereafter or in the alternative the lease shall be terminated entirely 15 days thereafter.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

4. Parks, Recreation and Tourism: Holly Walquist, Chairperson

*** 20070932 Cobb Family Fun Festival Request to prohibit alcohol sales**

Motion to approve the request by Cobb County Government to temporarily suspend ordinance 10-4-070 (F); this will prohibit the sale and consumption of alcohol adjacent to Glover Park during Cobb Family Fun Day on October 13, 2007.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070934 Street Closure Request for Marietta Reads Community Event**

Motion authorizing the closure of part, or all, of East Park Square as necessary to conduct the Marietta Reads community event from 7:30 a.m. to 4:00 p.m., on Saturday, September 29, 20

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

5. Personnel/Insurance: Van Pearlberg, Chairperson

*** 20070936 Health Care Program**

Motion to approve the renewal of group health plan administration with Blue Cross/Blue Shield of Georgia, Inc and to approve contribution rate structures for calendar year 2008. Also, requesting authority to approve the administrative service agreement with Blue Cross/Blue Shield of Georgia, Inc. after review and approval by the City Attorney. The addition of 40 Chiropractic Care visits would be for one year and will be revisited next year to review the costs.

Motion to approve with the following amendment:

-The last sentence should read, "The addition of Chiropractic Care visits shall be for one year and shall be revisited next year to review the costs and to determine whether to continue coverage.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

6. Public Safety Committee: Anthony Coleman, Chairperson

*** 20070913 Purchase of software**

Ord 7086 An Ordinance approving an amendment to the Fiscal Year 2008 Budget to purchase False Alarm software.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

7. Public Works Committee: Jim King, Chairperson

*** 20070750 No Parking Signs**

Motion to approve no parking on both sides of Sugar Hill Drive on Sundays from 8:00 a.m. to 1:00 p.m.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070700 1994 SPLOST Budget**

Motion authorizing submittal of the revised 1994 SPLOST Inter-Local Agreement Amendment #8 to Cobb County.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

20070455 Downtown Solid Waste Fee Schedule

Update on Fee Schedule for waste removal and recycling in the CBD.

Motion to refer this matter to the Public Works Committee for further discussion. Staff is directed to speak with the parties involved for comments and suggestions.

This matter was Referred to the PUBLIC WORKS COMMITTEE.

*** 20070952 Underground Utilities Relocation**

Motion to approve the Public Works Department recommendations regarding the SPLOST Project Underground Utilities relocation, with the exception of S1 (Franklin Road).

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20070915 HO2007-02 Monique Steele 332 Frasier Street

HO 2007-02 Motion to approve home occupation for Monique Steele, Land Lot 12880, 16th District, Parcel 0280, 2nd Section of Cobb County, Marietta, Georgia and being known as 332 Frasier Street. Request to establish a home occupation for haircare services [712.04]. Ward 1.

Mayor Dunaway called forward those speaking regarding this matter.

Monique Steele, applicant, requested approval of a home occupation license for property located at 332 Frasier Street for the purpose of providing haircare services.

Discussion was held regarding the application.

Motion to deny the request for a home occupation license at this address.

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Denied. The motion carried by the following vote:

Vote: 5 - 1 - 0

Denied

Vote Against: 1 - Holly Walquist

*** 20071030 Montgomery Park Detailed Plan**

Motion to approve the Revised Detailed Plan for Montgomery Park originally approved on April 11, 2007, with renumbered lots.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20070916 V2007-32 Keeler Woods Joint Venture - John J. Elliott, Jr. 360 Manning Road**

V2007-32 KEELER WOODS JOINT VENTURE - JOHN J. ELLIOTT, JR. request variance for property located in Land Lots 36 and 37, District 19, Parcel 10 and being known as 360 Manning Road. Variance to install a security gate at entrance of proposed subdivision. Ward 2.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* 20071033	1994 TIP Funds
<i>Ord 7088</i>	An Ordinance approving an amendment to the Fiscal Year 2008 Budget to appropriate remaining 1994 Transportation Improvement Program (TIP) funds.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 **Approved**

*	20071020	BLW Actions of September 10, 2007
		Review and approval of the September 10, 2007 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 **Approved**

ADJOURNMENT:

The meeting was adjourned at

Date Approved: 10/10/2007

William B. Dunaway, Mayor

Attest: _____
Stephanie Guy, City Clerk